

AMENDED IN SENATE JUNE 28, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

AMENDED IN ASSEMBLY MARCH 30, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 316**

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**Introduced by Assembly Member Carter**  
**(Coauthor: Assembly Member Jeffries)**  
*(Coauthor: Senator Anderson)*

February 9, 2011

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An act to add Section 487j to the Penal Code, relating to theft.

### LEGISLATIVE COUNSEL'S DIGEST

AB 316, as amended, Carter. Grand theft: copper materials.

Existing law ~~generally~~ provides that grand theft is theft when the money, labor, or real or personal property taken is of a value exceeding \$950 *and is punishable as either a misdemeanor or a felony*. ~~Existing law makes the amount threshold of the theft of certain items \$250, including theft of farm crops and specified agricultural products.~~

This bill would provide that every person who ~~feloniously~~ steals, takes, or carries away copper materials which are of a value exceeding \$950 is guilty of grand theft, punishable by a fine not exceeding \$2,500, ~~or imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment, or by imprisonment in the state prison not exceeding 16 months, or 2 or 3 years, or by both that fine and imprisonment and a fine not to exceed \$10,000.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 487j is added to the Penal Code, to read:  
2     487j. Every person who ~~feloniously~~ steals, takes, or carries  
3     away copper materials of another, including, but not limited to,  
4     copper wire, copper cable, copper tubing, and copper piping, which  
5     are of a value exceeding nine hundred fifty dollars (\$950) is guilty  
6     of grand theft. Grand theft of copper shall be punishable by a fine  
7     not exceeding two thousand five hundred dollars (\$2,500), ~~or by~~  
8     imprisonment in a county jail not exceeding one year, *or by both*  
9     *that fine and imprisonment*, or by imprisonment in the state prison  
10    not exceeding 16 months, or two ~~or three years~~, ~~or by both that~~  
11    ~~fine and imprisonment~~, *or three years and a fine not exceeding*  
12    *ten thousand dollars (\$10,000).*